

United States District Court
Southern District of Texas
FILED
JUL 26 2017
Clerk of Court

UNITED STATES DISTRICT COURT
for the
Southern District of Texas

United States of America
v.
Andres RANGEL YOB: 1981 USC

) Case No.

M-17-1334-M

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 07/17/2017 in the county of Hidalgo in the Southern District of Texas, the defendant violated Title 18 U. S. C. § Section 922 (g)(1), an offense described as follows:

The defendant, did knowingly and unlawfully possess eight (8) rounds of Federal .45 caliber auto ammunition that had previously traveled in and affected interstate commerce, after being convicted in a court of law for a felony crime punishable by imprisonment for a term exceeding one year.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

Continued on the attached sheet.

Approved by AUSA D.PAXTON
DMP 7/26/17

Sworn to before me and signed in my presence.

Date: 7/26/2017

City and state: McAllen, Texas

Candace Garza
Complainant's signature
Candace Garza, ATF Special Agent
Printed name and title

Dorina Ramos
Judge's signature
Dorina Ramos, U.S. Magistrate Judge
Printed name and title

ATTACHMENT A

On July 17, 2017, ATF Special Agents, from the McAllen III Field Office, conducted a consent to search at Andres RANGEL parent's residence, located in the Edcouch, TX area, in reference to information received regarding RANGEL's illegal possession of suspected grenades. Agents arrived at the door and made contact with A. RANGEL's father. A. RANGEL's father agreed to a search of his residence and proceeded to show Agents where A. RANGEL's belongings were located inside the rear room (laundry room). It should be noted Agents received written consent to search by A. RANGEL's father prior to searching the laundry room.

As a result of the written consent to search agents discovered two grenade hulls, located inside a box, in the laundry room. Agents observed both grenades appeared to be inert. Additionally, Agents discovered eight (8) rounds of Federal .45 caliber auto ammunition located on the table next to men's clothing.

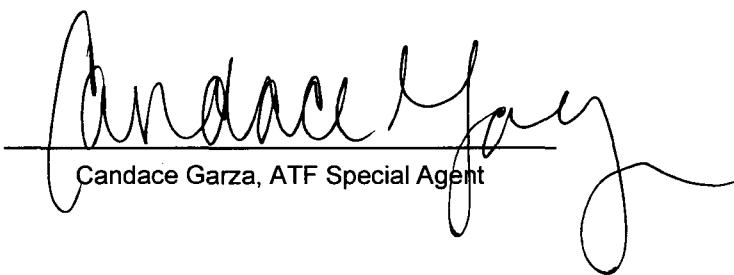
On July 19, 2017, Agents conducted a post Miranda interview of A. RANGEL at the Hidalgo County Detention Center where he was being held on unrelated State charges. A. RANGEL admitted the eight (8) rounds of Federal .45 caliber auto ammunition found inside his father's residence belonged to him. Agents showed A. RANGEL a picture of the eight (8) rounds of Federal .45 caliber auto ammunition. A. RANGEL admitted that those were the rounds that belonged to him. A. RANGEL stated he had the ammunition in his possession for approximately five to six years. A. RANGEL stated he was a previously convicted felon and had been to Texas Department of Criminal Justice for numerous felony convictions.

On July 17, 2017, your affiant spoke with ATF Special Agent Carlos Delgado, who is a recognized expert in the interstate and foreign commerce travel of firearms and ammunition. Based on the information your affiant provided SA Delgado about the ammunition possessed by A. RANGEL, SA Delgado stated the ammunition was manufactured outside of the State of Texas and therefore, previously traveled in interstate or foreign commerce at sometime prior to being possessed by any person in the State of Texas.

On July 17, 2017, a Computerized Criminal History check on A. RANGEL revealed that A. RANGEL was convicted in 1998 for Burglary of Habitation and was sentenced to ten (10) years in confinement Texas Department of Criminal Justice .

ATTACHMENT A

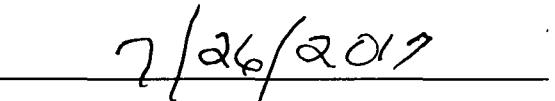
Based on the above information, your affiant believes A. RANGEL, was in possession of the above mentioned ammunition in violation of Title 18, United States Code, Section 922(g)(1), on or about July 17, 2017, in Hidalgo County, Texas.


Candace Garza, ATF Special Agent

Sworn to before me and subscribed in my presence,



Dorina Ramos, U.S. Magistrate Judge


7/26/2017